

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

PUBLIC NOTICE OF INFORMATIONAL HEARING AND INTENT TO REISSUE A WISCONSIN  
POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT NO. WI-0001040-08-0

Permittee: Tyco Fire Products LP, One Stanton Street, Marinette, WI, 54143

Facility Where Discharge Occurs: Tyco Fire Products LP, One Stanton Street, Marinette, WI 54143

Receiving Water and Location: Menominee River (Wausaukee and Lower Menominee River Watersheds,  
Menominee River Basin) in Marinette County

Brief Facility Description and Summary of Proposed Changes: Stanton Street, Marinette, WI 54143. The metal finishing process for manufacturing fire extinguishers and fire suppression products at site results in the generation of metal finishing process wastewater. There are four process areas (Building 29 (Cartridge, Udylite, Small part sprayer), Washroom 36, TTX Line Washroom, and Proceco Sprayer) that generate process wastewater from rinse streams. The process wastewater from these areas are combined and treated by the metal finishing wastewater treatment system (MFWWTS). Also, the facility generates concentrated waste solutions from the process areas (spent caustic, rust inhibitor, spent sulfuric acid, and spent zinc bond) that are collected and metered to the MFWWTS except the zinc bond. The spent zinc bond is first treated at zinc bond treatment system (ZBTS). The effluent from the MFWWTS is monitored at Sampling Point 101. The cake sludge from ZBTS and MFWWTS is hauled off-site to a solid waste landfill and will be tracked via Outfall 005 and Outfall 006. The treated effluent from MFWWTS is conveyed to the industrial sewer system and combined with noncontact cooling water (NCCW), boiler blowdown, contaminated groundwater infiltration, and roof drain runoff prior to discharging to the Menominee River through Outfall 001. The source water for metal finishing process water and NCCW comes from the City of Marinette municipal water supply. The source water for the boiler house comes from the Menominee River through an intake system and monitored at influent Sampling Point 703. Sanitary waste generated at the Tyco facility site is discharged to the Marinette Wastewater Treatment Facility. A water flow diagram for the facility and a treatment system flow diagram of the metal finishing wastewater treatment system are attached to this fact sheet.

Tyco also has on-going contaminated groundwater remediation projects at the site through agreements between the U.S. Environmental Protection Agency (USEPA), the department and Tyco under Resource Conservation and Recovery Act (RCRA). Previous manufacturing of arsenic-containing herbicides by Ansul Corp. resulted in arsenic contamination of groundwater at the Tyco site. As part of the remediation, Tyco pumps contaminated groundwater from seven extraction wells to a groundwater collection and treatment system (GWCTS) that is discharged to the Menominee River through Outfall 003. The dewatered cake sludge from GWCTS is hauled off-site to a hazardous waste landfill and will be tracked via Outfall 008. The concentrated reject streams from the GWCTS are collected and hauled off-site for disposal and will be tracked via Outfall 007. A treatment system flow diagram of the GWCTS is attached to this fact sheet.

Tyco also runs a pump down program (PDP) that regularly pumps arsenic contaminated groundwater from the former Salt Vault and 8<sup>th</sup> Street Slip areas at the site to maintain a certain groundwater level based on the low river level datum to prevent offsite migration of contaminated groundwater. The pumped groundwater is stored at the site and hauled offsite for disposal. A site map showing these areas is attached to this fact sheet.

Tyco plans to upgrade the GWCTS to enhance mercury and arsenic removal. The GWCTS upgrades include two new MF systems, two new triple pass RO systems, and new carbon bed and ion exchange process as final polishing step for PFAS removal. Also, once upgrades to the GWCTS are complete, Tyco plans to convey some of water from the PDP to the GWCTS to be treated and discharged to the Menominee River.

Due to infiltration of groundwater into the industrial sewer discharging through Outfall 001 resulting in periodic elevated arsenic concentrations in the effluent, Tyco plans to abandon Outfall 001 and combine the treated metal finishing wastewater (In-Plant Sampling Point 101) with treated groundwater at Outfall 003 to form Outfall 004. The NCCW and boiler blowdown previously discharged through Outfall 001 will be diverted to the sanitary sewer system. Stormwater from roof drains will be diverted to above-ground/surface conveyance to the Menominee River. This Outfall 001 abandonment project will reduce the arsenic and mercury loading to the Menominee River from groundwater infiltration into the industrial sewer system.

For specific details and information about proposed changes from the previous permit, please see the permit fact sheet.

Permit Drafter's Name, Address, Phone and Email: Trevor Moen, DNR, 625 E Cty Rd Y Suite 700, Oshkosh, WI, 54901, (920) 424-7883, Trevor.Moen@wisconsin.gov

Basin Engineer's Name, Address, Phone and Email: Laura Gerold, DNR, 2984 Shawano Avenue, Green Bay, WI 54313-6727, (920) 662-5426, Laura.Gerold@wisconsin.gov

The Department has tentatively decided that the above specified WPDES permit should be reissued.

**Proposed Arsenic Variance:** The Department has determined that a water quality-based effluent limitation (WQBEL) of 0.2 µg/L for arsenic is needed to protect human health in the above-named receiving water. The permittee has submitted an application for a variance. The Department concludes that the permittee is eligible for a variance based on the information submitted and information on file. The Department and the permittee have mutually agreed upon an initial limit of 680 ug/L at Outfall 003 and interim limit of 194 ug/L at Outfall 004, expressed as a daily maximum, continued influent and effluent monitoring, and permit language requiring continuing efforts to further reduce arsenic discharges. The Department proposes to grant the variance to the water quality standard used to derive the WQBEL, as provided for under s. 283.15(3), Wis. Stats. The designated use of the receiving water will not change as a result of the variance. The arsenic variance must be approved by USEPA prior to its inclusion in the final reissued permit.

**Proposed Mercury Variance:** The Department has determined that a water quality-based effluent limitation (WQBEL) of 1.3 ng/L for mercury is needed to protect wildlife and human health in the above-named receiving water. The permittee has submitted an application for an alternative mercury effluent limitation (AMEL). The application included a pollutant minimization program (PMP) plan for mercury as required under s. NR 106.145(8), Wis. Adm. Code. The Department concludes that the permittee is eligible for a variance based on the information submitted, information on file and the findings provided in s. NR 106.145(1), Wis. Adm. Code. The Department and the permittee have mutually agreed upon an interim AMEL of 24 ng/L at Outfall 003 and AMEL of 18 ng/L for Outfall 004, expressed as a daily maximum, continued influent and effluent monitoring, and permit language requiring implementation of the PMP. The Department proposes to grant the AMEL, which represents a variance to the water quality standard used to derive the WQBEL, as provided for under s. NR 106.145(6), Wis. Adm. Code. The designated use of the receiving water will not change as a result of the variance. This mercury variance must be approved by USEPA prior to its inclusion in the final reissued permit.

**Virtual Hearing Date, Time, and Location:** September 24, 2020, 1 p.m. – 2 p.m. In response to the COVID-19 public health emergency and the Governor's Safer at Home mandate, the Wisconsin Department of Natural Resources will be hosting public hearings via a remote, virtual connection made available to the public via the options below. Virtual hearings will be recorded.

**Remote Connection for public participation:**

Zoom Virtual Participation: <https://zoom.us/j/98314579414>

Meeting ID: 983 1457 9414

**Zoom Conference Call Line:** +1 312 626 6799 US (Chicago)

If participating via conference call, participants will be prompted to enter the Meeting ID: 983 1457 9414.

For questions on how to connect remotely please contact: Stephen Nehring, DNR, 101 S. Webster St. PO Box 7921, Madison, WI, 53707-7921, (608) 261-6406, [Stephen.Nehring@wisconsin.gov](mailto:Stephen.Nehring@wisconsin.gov)

Hearing Officer, Name, Address, City/State/Zip, and Phone: Andrew Simek, DNR, 101 S. Webster St. PO Box 7921, Madison, WI, 53707-7921, (608) 264-6009, [Andrew.Simek@Wisconsin.gov](mailto:Andrew.Simek@Wisconsin.gov)

The Department of Natural Resources, pursuant to Section 283.49, Wisconsin Statutes, has scheduled for the time and place listed above, a public hearing for the purpose of giving all interested persons an opportunity to make a statement with respect to the above announced permit action for this existing discharge.

A hearing officer will conduct the hearing in an orderly and speedy way and will use procedures specified in Subchapter II of ch. NR 203, Wis. Adm. Code, necessary to insure broad public participation in the hearing.

The hearing officer will open the hearing and make a concise statement of the scope and purpose of the hearing and shall state what procedures will be used during the course of the hearing. The hearing officer shall explain the method of notification of the final decision to grant or deny the permit and the methods by which the decision may be reviewed in a public adjudicatory hearing.

The hearing officer may put limits on individual oral statements to ensure an opportunity for all persons present to make statements in a reasonable period of time and to prevent undue repetition. The hearing officer may also limit the number of representatives making oral statements on behalf of any person or group.

Informational and clarifying questions and oral statements shall be directed through the hearing officer. Cross-examination shall not be allowed.

Persons wishing to comment on or object to the proposed permit action are invited to do so by attending the public hearing or by submitting any comments or objections in writing to the Department of Natural Resources, at the above-named permit drafter's address. All comments or suggestions received from members of the public no later than 7 days following the date of this public hearing will be used, along with other information on file and testimony presented at the hearing, in making a final determination. Where designated as a reviewable surface water discharge permit, the U.S. Environmental Protection Agency is allowed up to 90 days to submit comments or objections regarding this permit determination.

Information on file for this permit action, including the draft permit, fact sheet and permit application, may be inspected and copied at either the above-named permit drafter's office or the above-named basin engineer's office, Monday through Friday (except holidays), between 9:00 a.m. and 3:30 p.m. Please call the permit drafter or basin engineer for directions to their office location, if necessary. Information on this permit action may also be obtained by calling the permit drafter at (920) 424-7883 or by writing to the Department. Reasonable costs (15 cents per page for copies and 7 cents per page for scanning) will be charged for information in the file other than the public notice, permit and fact sheet. Permit information is also available on the internet at: <http://dnr.wi.gov/topic/wastewater/PublicNotices.html>. Pursuant to the Americans with Disabilities Act, reasonable accommodation, including the provision of informational material in an alternative format, will be made to qualified individuals upon request.

NAME OF PUBLISHING NEWSPAPER: Eagle Herald

ADDRESS OF PUBLISHING NEWSPAPER: PO Box 77, Marinette, WI 54143

Date Notice Issued: August 6, 2020